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PTO/SB/21 (02-04)

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/853,731
	Filing Date	May 11, 2001
	First Named Inventor	Apollon Papadimitriou
	Art Unit	1656
	Examiner Name	Kam, Chih Min
Total Number of Pages in This Submission	Attorney Docket Number	20619 US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Neose Technologies, Inc. and BioGeneriX Ag Oppositions, and Supplemental Information Disclosure Statement Fee Sheet	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Patricia S. Rocha-Tramaloni	
Signature		
Date	Feb, 14, 2006	

CERTIFICATE OF TRANSMISSION/MAILING		
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Typed or printed name	Patricia S. Rocha-Tramaloni	
Signature		Date Feb, 14, 2006

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PATENT APPLICATION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor: Apollon Papadimitriou

Group: 1656

Serial No. 09/853,731, filed May 11, 2001
(Ref. No. 20619 US)

Examiner: Kam, Chih Min

For: **ERYTHROPOIETIN COMPOSITION**

REQUEST TO CHARGE DEPOSIT ACCOUNT

Nutley, New Jersey 07110

Date: February 14, 2006

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

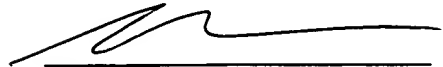
Transmitted herewith is a **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT** in the above-identified application.

- ☒ Please charge Deposit Account No. 08-2525 in the amount of \$180.00 which is the fee in connection with the filing of the enclosed paper.
- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 08-2525.

Serial No. 09/853,731
Filed: May 11, 2001

X This sheet is provided in duplicate.

Respectfully submitted,



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224082



1656

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s): Apollon Papadimitriou

Group: 1656

Application No. 09/853,731, filed May 11, 2001
(Case Docket No. 20619 US)

Examiner: Kam, Chih Min

For: **ERYTHROPOIETIN COMPOSITION**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Nutley, New Jersey 07110
Date: February 14, 2006

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to two additional oppositions filed in Europe against European Patent EP 1 311 285, which corresponds to the instant application: one opposition was filed by Neose Technologies, Inc. and the other by BioGeneriX Ag.

A copy of the opposition papers received by applicant's European affiliate is enclosed. Documents A16-A21 listed on the enclosed Form PTO 1449 correspond to foreign documents that were cited in the above-mentioned oppositions, and have not already been cited in the instant application. These documents, copies of which are not enclosed because they are U.S. Patents or applications, are herein brought to the Examiner's attention.

Appl. No. 09/853,731
Filed: May 11, 2001

It is respectfully submitted that these documents are no more relevant than the references already of record.

The Examiner's attention is particularly directed to US 2004/0038878 which discusses injectable pharmaceutical formulations containing a protein, including for example an EPO, and at least one sugar as a soothing agent and having a pH of 6.5-7.4.

The Examiner's attention is also directed to US 2003/0092622 which discusses, inter alia, stabilized protein formulations containing tryptophan.

Consideration of all the documents cited on Form PTO-1449 is requested.

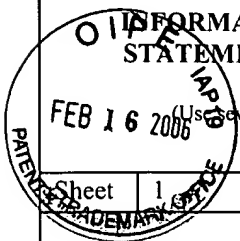
Respectfully submitted,



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224079

Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Application Number	09/853,731
		Filing Date	May 11, 2001
		First Name Inventor	Apollon Papadimitriou
		Group Art Unit	1656
		Examiner Name	Kam, Chih Min
		Attorney Docket Number	20619 US
Sheet 1	of 1		



U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	A16	5,354,934		Colin G. Pitt, et al.	10-11-1994
	A17	6,372,715 (WO 99/07401)	B1	Joachim Peter Kaltwasser, et al.	04-16-2002
	A18	6,440,932 (WO 98/58660)	B1	Paul Lehmann, et al.	08-27-2002
	A19	6,586,398 (WO 2001/76640)	B1	Olaf Kinstler, et al.	07-01-2003
	A20	2003/0092622 (EP 1260230)	A1	Yasushi Sato, et al.	05-15-2003
	A21	2004/0038878 (EP 1336410)	A1	Masahiko Tanikawa, et al.	02-26-2004

FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
Examiner Signature		Date Considered					

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
²Unique citation designation number. ³See attached Kinds of U.S. Patent Documents. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷Applicant is to place a check mark here if English language Translation or abstract is attached.